## MINUTES FOR THE COURT OF APPEAL STATE OF CALIFORNIA SECOND APPELLATE DISTRICT

August 26, 2002

### **DIVISION TWO**

B144159 People

(Not for Publication)

V.

Shabazz

The judgment is modified to impose a parole revocation restitution fine in the amount of \$5,000, such fine to be stayed until such time as appellant is recommitted to state prison for a parole violation. The judgment is also modified to stay the one-year term imposed for the Penal Code section 12022, subdivision (a)(1) principal armed with a firearm enhancement, such stay to become permanent when service of sentence for the firearm use enhancement is completed. In all other respects, the judgment is affirmed.

The court shall cause its clerk to amend the abstract of judgment to show direct restitution to the deceased's family (Penal Code, § 1202.4), the restitution fine (Pen. Code, § 1202.4, subd. (b)) and the parole revocation restitution fine (Pen. Code, § 1202.45), all in the amount of \$5,000. The superior court shall send the amended abstract of judgment to the California Department of Corrections.

The court shall also conform its January 2, 1997 minute order to state the parties' agreement as to the conditional dismissal of count 2 of the information: If the judgment is reversed on appeal and the cause is remanded for a new trial on any count alleged in the information, the People shall have the right to reinstate the charge in count 2 of an attempted willful, deliberate premeditated murder of victim Singh.

Boren, P.J.

We concur: Nott, J.

Ashmann-Gerst, J.

## **DIVISION TWO (Continued)**

B154107 Miguel P. (Not for Publication)

V.

Los Angeles County, D.C.S.

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.

Ashmann-Gerst, J.

## **DIVISION THREE**

B146714 Eller Media Company (Not for Publication)

V.

City of Los Angeles, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B152864 People (Not for Publication)

V.

Andrew Gazzeny

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

#### **DIVISION SIX**

B156024 Sierra Vista Medical Pavilion Associates (Not for Publication)

V.

Kieburtz & Associates

The judgment is affirmed. Costs to Respondent.

Coffee, J.

We concur: Gilbert, P.J.

Yegan, J.

B153925 People (Not for Publication)

V.

Webster

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Perren, J.

B156029 Harris (Not for Publication)

V.

Harris

The trial court's order denying termination of spousal support is affirmed.

Costs to Wife.

Coffee, J.

We concur: Gilbert, P.J.

Perren, J.

### **DIVISION SIX (Continued)**

B149809 People (Not for Publication)

v. Patton

The clerk of the superior court is ordered to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting a stay of the 90-day term imposed on count 2, pursuant to Penal Code section 654. As so modified, the judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Coffee, J.

B154509 People (Not for Publication)

v. Govea

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.

Yegan, J.

B153263 People (Not for Publication)

V.

Johnson

Accordingly, we modify the judgment by striking one of the one-year enhancements and by imposing the penalty assessment of \$85. We direct the trial court to amend the abstract of judgment to reflect the modified sentence and to forward the amended abstract to the Department of Corrections. Except for these sentence modifications, we affirm the judgment.

Perren, J.

We concur: Gilbert, P.J.

Yegan, J.

# **DIVISION SIX (Continued)**

B147573 People (Not for Publication)

V.

Delgado

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Perren, J.

B146331 Karalius

V.

Wyatt

Filed order denying petition for rehearing.